



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-T

JUN 24 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Stewart
Regional Environmental Officer
Office of Environmental Policy and Compliance
U.S. Department of the Interior
P.O. Box 25007 (D-108)
Denver, CO 80225-0007

Re: Invitation to the Federal Natural Resources Trustee
to participate in discussions regarding OU#2
Lower Silver Creek, Richardson Flat Tailings Site
Park City, Summit County, Utah

Dear Mr. Stewart:

Pursuant to Section 104(b)(2) and Section 122(j) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 USC §§9604(b)(2) and 9622(j), respectively, the Environmental Protection Agency ("EPA") provided notice to you on November 19, 1999 of potential damages to natural resources resulting from releases under investigation by EPA at Operable Unit One of the Richardson Flat Tailings Site. That letter also provided notice of potential negotiations with parties who may have been responsible for such releases.

The purpose of the current letter is to provide notice that EPA has identified a second Operable Unit of the Richardson Flat Tailings Site, Lower Silver Creek, and would like to extend an invitation to the Federal Natural Resources Trustee to participate in discussions related to this Operable Unit Two. EPA is providing this notice to ensure appropriate coordination of assessments, investigations, and planning and to provide an opportunity for natural resource trustee involvement in potential settlements of CERCLA liability.

This notice is provided at this early juncture to encourage active and timely participation of the natural resource trustees, hopefully ensuring the most efficient use of government resources. The timing of this notice is indicative of EPA's desire to employ an involved team approach in addressing potential public health and environmental threats that may be found to exist at Lower Silver Creek, Operable Unit Two of the Richardson Flat Tailings Site.

Under the provisions of Interagency Agreement (IAG) DW14953727-01 between EPA and the Department of Interior (DOI), EPA requests your involvement and eventual formal review of Site activities as a trustee for natural resources which may be impacted by future planned remedial activity at Richardson Flat Operable Unit Two.

Richardson Flat, Operable Unit Two, covers approximately 1875 acres in a narrow valley 1-1/2 miles northeast of Park City, Utah. The source of hazardous substances on site is fluvially transported materials from upstream historical mining operations. The State of Utah conducted an Innovative Assessment in 2002.

Because this Site is presently in the site investigation phase, available data pertinent to a particular agency's concerns may be limited. EPA is currently in the process of reviewing the existing data about the Site, and discussing additional data needs. EPA has had informal talks with United Park City Mines (UPCM) and has approached UPCM about their interest in entering into a Remedial Investigation Feasibility Study (RI/FS) Order. Following completion of the RI/FS work or when information allows, a decision on how best to address Site cleanup will be made.

Inquiries are encouraged and technical concerns should be directed to the site Remedial Program Manager, Kathryn Hernandez at (303) 312-6101. Enforcement inquiries may be directed to Maureen O'Reilly, Technical Enforcement Program, at (303) 312-6402, or to Mia Wood, Site Attorney at (303) 312-6554.

Sincerely,



Kelcey Land, Acting Director
RCRA & CERCLA Technical Enforcement
Program

cc: Mohammed Slam, UDEQ
Brett Everett, UDEQ
Kathryn Hernandez, 8EPR-SR
Maureen O'Reilly, 8EPR-T

